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Agenda item 3

Resolution adopted by the Human Rights Council on 24 March 2017

34/41. Human rights, democracy and the rule of law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

Reaffirming also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and other relevant international human rights instruments,

Acknowledging the adoption by the General Assembly of its resolution 70/1 entitled "Transforming our world: the 2030 Agenda for Sustainable Development" on 25 September 2015, including its goals and targets, inter alia, Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels,

Recalling that the 2030 Agenda for Sustainable Development involves Governments and Parliaments, the United Nations system and other international institutions, in particular the Inter-Parliamentary Union, local authorities, indigenous peoples, civil society, business and the private sector, and the scientific and academic community, who have embarked on the road to 2030,

Recalling also all previous resolutions on democracy and the rule of law adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolutions 19/36 of 23 March 2012 and 28/14 of 26 March 2015, in which the Council established the Forum on Human Rights, Democracy and the Rule of Law,

Recalling further General Assembly resolution 70/298 of 25 July 2016 on cooperation between the United Nations, national parliaments and the Inter-Parliamentary Union, and Human Rights Council resolution 30/14 of 1 October 2015 on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review,

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Taking note of the study of the United Nations High Commissioner for Human Rights of 2012[1] and the outcome of the panel discussion,[2] held on 11 June 2013 during the twenty-third session of the Human Rights Council, both on the theme of common challenges facing States in their efforts to secure democracy and the rule of law from a human rights perspective,

Recognizing the link between human rights, democracy, the rule of law and good governance, and recalling the Human Rights Council resolutions and all other resolutions relevant to the role of good governance in the promotion of human rights,

Reaffirming that democracy is based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty, territorial integrity and the right to self-determination,

Bearing in mind that challenges to democracy arise in all democratic societies,

Acknowledging the fundamental importance of education and training for human rights in consolidating democracy and contributing to the promotion, protection and effective realization of all human rights,

Underlining that, while States have the primary responsibility for safeguarding and strengthening democracy and the rule of law, the United Nations has a critical role in providing assistance and coordinating international efforts to support States, on their request, in their democratization processes,

Urging States to acknowledge the important contribution of civil society and human rights defenders to the promotion of human rights, democracy and the rule of law, and to ensure a safe and enabling environment for their work,

Recognizing the value of a Human Rights Council forum for exchange, dialogue, mutual understanding and cooperation on the interrelationship between human rights, democracy and the rule of law, in accordance with the principles and purposes of the Charter, and acknowledging the importance of existing regional formats in the field of human rights,

Stressing that human rights, democracy and the rule of law are interdependent and mutually reinforcing, and in this regard recalling the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,[3] in which the Secretary-General addressed the ways and means of developing further the linkages between the rule of law and the three main pillars of the United Nations, namely, peace and security, human rights, and development,

Emphasizing the importance of effective, transparent and accountable legislative bodies, and their fundamental role in the promotion and protection of human rights, democracy and the rule of law,

1. *Welcomes* the organization, in November 2016, of the first session of the Forum on Human Rights, Democracy and the Rule of Law, the theme of which was

[1] A/HRC/22/29.
[2] See A/HRC/24/54.
[3] A/68/213/Add.1.

"Widening the democratic space: the role of youth in public decision-making", and notes the engaged participation of stakeholders, including youth, who emphasized the promotion of dialogue and cooperation;

2. *Takes note* of the report of the two Chairs on the work of the first session of the Forum on Human Rights, Democracy and the Rule of Law,[4] and encourages States and other stakeholders to take into consideration the relevant recommendations of the Forum;

3. *Decides* that the theme of the second session of the Forum, to be held in 2018, will be "Parliaments as promoters of human rights, democracy and the rule of law";

4. *Also decides* that the second session of the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts, and non-governmental organizations in consultative status with the Economic and Social Council; the session shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Human Rights Council, through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Council, which will provide for timely information on the participation of and consultations with the States concerned;

5. *Encourages* States and all stakeholders to pay particular attention to ensuring the broadest possible and most equitable participation, with due regard to geographical and gender balance, and considering the participation of youth;

6. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Forum, at its second session, with all the necessary services and facilities, including interpretation in all official languages of the United Nations.

59th meeting
24 March 2017

[Adopted without a vote.]

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[4] A/HRC/34/46.